

They exist in the dust of the streets and gutters everywhere and float in the air of many factories and other buildings. Every one, in the course of daily occupation, is constantly exposed to them. * * * let Nature be handicapped by a * * * catarrhal condition of the bronchial tubes or lungs, and she becomes unable to resist so successfully the invasion of disease germs which * * * find comparatively easily lodgment in the already weakened and diseased membranes of throat and lungs. The obvious moral * * * to treat them promptly and vigorously. * * * often the practice of 'wearing off' a cold, cough, or sore throat, results seriously, even fatally. Everyone is more or less frequently subjected to cold of a catarrhal nature and the neglect of these is responsible for more of the existing throat troubles and other serious sickness than probably any other cause of disease. Give Nature Her Fighting Chance * * * Treat It At Once. * * * For Sore Throat," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16354. Adulteration and misbranding of *Bacillus acidophilus*. U. S. v. 22 Bottles of *Bacillus Acidophilus*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22987. I. S. No. 01962. S. No. 1074.)

On August 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 bottles of *Bacillus acidophilus* at Chicago, Ill., alleging that the article had been shipped by G. H. Sherman, from Detroit, Mich., July 14, 1928, and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in substance in the libel that the article was adulterated in that it was intended to be used for medicinal purposes, that is to say it was labeled, "*Bacillus Acidophilus* Sherman A live, high concentrated polyvalent culture of the *Bacillus Acidophilus*," which said article was falsely and fraudulently misbranded in that the said statements were applied knowingly and in reckless and wanton disregard of truth or falsity, so as to represent falsely and fraudulently to the purchaser that it was in whole or in part composed of or contained organisms necessary for the culture of *Bacillus acidophilus* intended for medicinal use, whereas it did not contain the necessary amount of organisms necessary for the culture of *Bacillus acidophilus* intended for medicinal use.

The charges recommended by this department against the product were that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "A highly concentrated culture of the *Bacillus acidophilus*," and in that it was misbranded in that the statement "A highly concentrated culture of the *Bacillus Acidophilus*" was false and misleading.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16355. Misbranding of Turner's Inflammazine. U. S. v. 16 Dozen Jars of Turner's Inflammazine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23355. I. S. No. 05761. S. No. 1495.)

On January 30, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 dozen jars of Turner's Inflammazine, remaining in the